

803 KAR 2:303. Walking-working surfaces.

RELATES TO: KRS 338.051, 338.061, 29 C.F.R. 1910.21-1910.30

STATUTORY AUTHORITY: KRS 338.051(3), 338.061, 29 C.F.R. 1910.21-1910.30

NECESSITY, FUNCTION, AND CONFORMITY: KRS 338.051(3) and 338.061 authorize the Kentucky Occupational Safety and Health Standards Board to promulgate occupational safety and health administrative regulations. KRS 338.051(3) authorizes the chairman of the board to adopt established federal standards without board approval if necessary to meet federal time requirements. This administrative regulation establishes standards for walking-working surfaces to be enforced by the Division of Occupational Safety and Health Compliance in the area of general industry.

Section 1. Definitions. (1) "Act" means KRS Chapter 338.

(2) "Assistant Secretary of Labor" means Secretary, Labor Cabinet, or Commissioner, Department of Workplace Standards, Labor Cabinet.

(3) "C.F.R." means Code of Federal Regulations.

(4) "Employee" is defined by KRS 338.015(2).

(5) "Employer" is defined by KRS 338.015(1).

(6) "Established federal standard" is defined by KRS 338.015(10).

(7) "National consensus standard" is defined by KRS 338.015(9).

(8) "Secretary of Labor" means Secretary, Labor Cabinet, or Commissioner, Department of Workplace Standards, Labor Cabinet.

(9) "Standard" means "occupational safety and health standard" as defined by KRS 338.015(3).

(10) "U.S. Department of Labor" means U.S. Department of Labor or Kentucky Labor Cabinet, U.S. 127 South, Frankfort, Kentucky 40601.

Section 2. Except as modified by the definitions in Section 1 of this administrative regulation, general industry shall comply with the following federal regulations published by the Office of the Federal Register, National Archives and Records Administration:

(1) 29 C.F.R Subpart D, 1910.21-1910.30, revised July 1, 2015; and

(2) The revisions to Subpart D as published in the November 18, 2016 Federal Register, Volume 81, Number 223. (16 Ky.R. 685; eff. 12-15-1989; Am. 17 Ky.R. 1842; eff. 1-6-1991; 23 Ky.R. 1692; eff. 12-13-1996; TAm eff. 8-9-2007; TAm. eff. 9-8-2011; TAm. eff. 8-16-2013; 43 Ky.R. 1267, 1562; eff. 3-31-2017.)